

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. APPLN. NO. 10/071,183
ATTORNEY DOCKET NO. Q68442

REMARKS

Applicants thank the Examiner for acknowledging Applicants' claim to foreign priority, and for indicating that the certified copies of the priority documents, Japanese Patent Application No. 2001-040616 dated February 16, 2001 and Japanese Patent Application No. 2001-086937 dated March 26, 2001, have been made of record in the file.

Applicants thank the Examiner for initialing the references listed on the PTO-1449 forms submitted with the Information Disclosure Statements filed on April 16, 2002 and August 7, 2002, thereby confirming that the listed references have been considered.

Claims 1-3, 5 and 6 have been examined on their merits, and claims 7-15 remain withdrawn from consideration.

Applicants herein amend claims 1, 2 and 3 to recite that the first resin and the second resin are not mixed during the recited fusion and/or the extrusion steps. Applicants editorially amend claims 3, 5 and 6 to remove the acronym "(MFR)" from the claim recitations. Applicant requests entry of the amendments to claims 1-3, 5 and 6, since they do not raise new issues requiring further search and/or consideration by the Examiner. In addition, the amendments to claims 1-3 reduce issues for appeal, and are based on suggestions proffered by the Examiner in the September 8, 2004 Final Office Action. Entry of the amendments to claims 1-3, 5 and 6 is respectfully requested.

Claims 1-3 and 5-15 are all the claims presently pending in the application.

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1. Claims 2, 3 and 6 stand rejected under 35 U.S.C. § 112 (1st para.) as allegedly failing to comply with the written description requirement.

Applicants herein amend claims 2 and 3 to remove the phrase “or near a supply port of said extruder die” from the claim recitations. Applicants respectfully submit that the § 112 (1st para.) rejection of claims 2, 3 and 6 has been overcome, and respectfully request withdrawal of same.

2. Claim 1 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cloeren (U.S. Patent No. 5,120,484) in view of Thompson (U.S. Patent No. 4,272,312) and in further view of Gruber *et al.* (U.S. Patent No. 5,594,095).

Applicant herein amends claim 1 to recite that the first and second resins are not mixed with each other. In the Allowable Subject Matter section of the September 8, 2004 Final Office Action, the Patent Office indicated that Thompson discloses, *inter alia*, the intimate mixing and commingling of two materials in the edge portions. *See, e.g.*, col. 4, lines 37-39 of Thompson. The Patent Office further acknowledges that Thompson’s mixing teaches away from the invention now recited in claim 1. Thus, Applicants submit that claim 1 is allowable, since the combination of Cloeren, Thompson and Gruber *et al.* does not teach or suggest the invention recited in claim 1. Applicants respectfully request that the Patent Office withdraw the § 103(a) rejection of claim 1.

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3. Claim 2 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Thompson in view of Gruber *et al.* and in further view of Mehra *et al.* (U.S. Patent No. 5,700,412).

Applicant herein amends claim 2 to recite that the first and second resins are not mixed with each other. In the Allowable Subject Matter section of the September 8, 2004 Final Office Action, the Patent Office indicated that Thompson discloses, *inter alia*, the intimate mixing and commingling of two materials in the edge portions. *See, e.g.*, col. 4, lines 37-39 of Thompson. The Patent Office further acknowledges that Thompson's mixing teaches away from the invention now recited in claim 2. Thus, Applicants submit that claim 2 is allowable, since the combination of Thompson, Gruber *et al.* and Mehra *et al.* does not teach or suggest the invention recited in claim 2. Applicants respectfully request that the Patent Office withdraw the § 103(a) rejection of claim 2.

4. Claim 3 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Thompson in view of Pfeiffer *et al.* (U.S. Patent No. 5,716,570) and in further view of Mehra *et al.*

Applicant herein amends claim 3 to recite that the first and second resins are not mixed with each other. In the Allowable Subject Matter section of the September 8, 2004 Final Office Action, the Patent Office indicated that Thompson discloses, *inter alia*, the intimate mixing and commingling of two materials in the edge portions. *See, e.g.*, col. 4, lines 37-39 of Thompson. The Patent Office further acknowledges that Thompson's mixing teaches away from the

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invention now recited in claim 3. Thus, Applicants submit that claim 3 is allowable, since the combination of Thompson, Pfeiffer *et al.* and Mehra *et al.* does not teach or suggest the invention recited in claim 3. Applicants respectfully request that the Patent Office withdraw the § 103(a) rejection of claim 3.

5. Claim 5 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cloeren in view of Thompson and Gruber *et al.*, and in further view of Pfeiffer *et al.*

Since the Patent Office acknowledges that Thompson does not disclose all of the recitations of amended claim 1, Applicants submit that claim 5 is allowable at least by virtue of its dependency from claim 1. Applicants respectfully request that the Patent Office withdraw the § 103(a) rejection of claim 5.

6. Claim 6 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Thompson in view of Gruber *et al.* and Mehra *et al.*, and in further view of Pfeiffer *et al.*


Since the Patent Office acknowledges that Thompson does not disclose all of the recitations of amended claim 2, Applicants submit that claim 6 is allowable at least by virtue of its dependency from claim 2. Applicants respectfully request that the Patent Office withdraw the § 103(a) rejection of claim 6.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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